

From the INTERNATIONAL BUREAU

PCT

NOTIFICATION OF TRANSMISSION
OF COPY OF TRANSLATION
OF THE INTERNATIONAL PRELIMINARY REPORT
ON PATENTABILITY
(CHAPTER I OR CHAPTER II)
IN THE PATENT COOPERATION TREATY
(PCT Rules 116(3) and 22.2)

Date of mailing (day/month/year)
18 January 2007 (18.01.2007)

To:

YOSHITAKE, Kenji
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JAPAN

Room 323, Puff Building.



Applicant's or agent's file reference
152673-2003

IMPORTANT NOTIFICATION

International application No.
PCT/JP2005/006100

International filing date (day/month/year)
22 March 2005 (22.03.2005)

Applicant

TOSHIBA KIKAI KABUSHIKI KAISHA et al

3. Transmittal of the translation to the applicant.

- The International Bureau transmits herewith a copy of the English translation of the international preliminary report on patentability (Chapter II).
- The International Bureau transmits herewith a copy of the English translation of the international preliminary report on patentability (Chapter III).

2. Transmittal of the copy of the translation to the designated or elected Offices.

The International Bureau notifies the applicant that copies of this translation have been transmitted to the following designated or elected Offices requiring such translation:

EP, KR

The following designated or elected Offices, having waived the requirement for such a transmittal at this time, will receive copies of this translation from the International Bureau only upon their request:

AE, AG, AL, AM, AP, AT, AU, AZ, BA, BB, BG, BY, BW, BY, CZ, CA, CN, CN, CG, CR, CL, CT, DE, DA, DM, DZ, EA, EG, ER, ES, FI, GB, GD, GE, GH, GM, HR, HU, ID, IL, IN, IS, JP, KE, KG, KP, KZ, LC, LK, LR, LS, LY, LU, LV, MA, MD, MG, MK, MN, MW, MX, MZ, NA, NL, NO, NZ, OA, OM, PG, PH, PL, PT, RO, RU, SC, SD, SE, SG, SK, SI, SM, SY, TS, TM, TR, TT, TZ, UA, UG, US, UZ, VG, VN, YU, ZA, ZM, ZW

3. Remarks regarding translation into (one or) the official language(s) of the elected Office(s).

The applicant is reminded that, where a translation of the international application must be furnished to an elected Office, that translation must contain a translation of any annexes to the international preliminary report on patentability (Chapter II).

It is the applicant's responsibility to prepare and furnish such translation directly to each elected Office concerned within the applicable time limit (Rule 24.1). See Volume II of the PCT Applicant's Guide for further details.

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TRANSLATION **PATENT COOPERATION TREATY**
PCT

INTERNATIONAL PRELIMINARY REPORT ON PATENTABILITY
(Chapter II of the Patent Cooperation Treaty)

(PCT Article 36 and Rule 30)

Applicant's or agent's PCT file ref. no(s): 152578-263	FOR FURTHER ACTION	See Part IV PCT Rule 41.6
International application No. PCT/JP2005/005100	International filing date/day/month/year 22.03.2005	Priority date/day/month/year 22.03.2004

International Patent Classification (IPC), as national classification and IPC
C23C28/00, B22C1/00, B22C9/06, B22D17/22, C23C24/02

Applicant:
TOSHIBA KIKAI KABUSHIKI KAISHA

<p>1. This report is the International preliminary examination report, established by this International Preliminary Examining Authority under Article 36 and transmitted by the applicant according to Article 36;</p> <p>2. This REPORT consists of a total of 4 sheets, including this cover sheet;</p> <p>3. This report is also accompanied by ANGKEP's findings:</p> <ul style="list-style-type: none"> a. <input checked="" type="checkbox"/> <i>concerning the applicant and to the international application</i> a total of sheets, as follows: <ul style="list-style-type: none"> <input type="checkbox"/> sheets of the description, claims and drawings which have been accepted and are the basis for this report and the claims containing recitations authorized by the Authority (see Rule 20.16 and Section 8(2) of the Administrative Instructions); <input type="checkbox"/> sheets which supersede earlier sheets, but which the Authority considers contain an amendment that goes beyond the disclosure in the international application as filed, as indicated in Box 4 of Box No. 3 and the Supplements to Box 4; b. <input type="checkbox"/> <i>concerning the International Bureau only</i> a total of (indicate type and number of electronic version(s)) , containing a sequence listing under codes related thereto, in sequence readable from only, as indicated in the Supplemental Box Relating to Sequence Listing (see Section 6(2) of the Administrative Instructions); <p>4. This report contains indications relating to the following items.</p> <ul style="list-style-type: none"> <input checked="" type="checkbox"/> Box No. I Basis of the report <input type="checkbox"/> Box No. II Priority <input type="checkbox"/> Box No. III Prior establishment of priority with regard to novelty, inventive step and industrial applicability <input type="checkbox"/> Box No. IV Lack of unity of invention <input checked="" type="checkbox"/> Box No. V Reassessed statement under Article 30(2) with regard to novelty, inventive step or industrial applicability, citations and explanations supporting such statement <input type="checkbox"/> Box No. VI Certain documents cited <input type="checkbox"/> Box No. VII Certain defects in the international application <input type="checkbox"/> Box No. VIII Certain observations on the international application

Date of transmission of the demand	Date of completion of this report
Transmitting authority of the PCT/JP	Conducted either

Language file: _____ Telephone No: _____

INTERNATIONAL PRELIMINARY REPORT ON PATENTABILITY

International application No.

PCT/JP2003/005160

Box No. 1 Body of the report

1. *With regard to the language, this report is based on the international application in the language in which it was filed, unless otherwise indicated under this item.*
- This report is based on translating from the original language into the following language(s), which is the language of a translation furnished for the purposes of:*
- international search (Rule 12.3 and 33, A(3)(i))*
 - priority claim of the international application (Rule 13.1)*
 - international preliminary examination (Rule 33(2) and Article 58, 3)*
- With regard to the elements of the international application, this report is based on replacement sheets which have been furnished to the examining officer in response to an invitation under Article 14 are referred to in this report as "earlierly filed" and do not appear in this report:*
- the international application as originally filed/submitted*
- the description*
- Patent, as originally filed/submitted
- Claims, received by this Authority on
- Drawings, received by this Authority on
- the claims*
- Amendments, as originally filed/submitted
- Drawings, as amended together with any additional sheet(s) on
- Claims, received by this Authority on
- Drawings, received by this Authority on
- the drawings*
- Sheets, as originally filed/submitted
- Sheets, received by this Authority on
- Sheets, received by this Authority on
- a sequence listing and/or any insertion(s) as a supplement thereto relating to Sequence Listing.*
- The amendments have resulted in the cancellation of:*
- the description, page*
 - the claims, no.*
 - the drawings, starting at*
 - the sequence listing (specify)*
 - any table, or related to sequence listing (specify)*
- This report has been drafted such that one or all the amendments annexed in this report and listed below had not been made since they have been considered to be the final disclosure as filed, as indicated in the Supplemental Information Sheet.*
- the description, page*
 - the claims, no.*
 - the drawings, sheet /figs*
 - the sequence listing (specify)*
 - any table, or related to sequence listing (specify)*

Note: A portion, more than half of these items may be omitted if superseded.

INTERNATIONAL PRELIMINARY REPORT ON PATENTABILITY

International application No.

PCT/EP2005/005100

Box No V Reasoned statement under Article 34(2) with regard to novelty, inventive step or industrial applicability:
claims and explanations supporting each statement:

A. Novelty:

Novelty (A)	Claims 1-18	YES
	Claims	NO
Inventive step (B)	Claims 2, 3, 6, 7, 10-13	YES
	Claims 1, 4, 5, 8, 9	NO
Industrial applicability (C)	Claims 1-18	YES
	Claims	NO

B. Claims and explanations (Article 107):

The following documents are cited in the international search report:

Document 1: JP 64-229687 A (Kobe Steel, Ltd.), 10

September 1996, paragraphs [0010] to [0024]

Document 2: JP 2002-300711 A (Olympus Optical Co., Ltd.),
30 October 2001, paragraph [0002]

Document 3: JP 2002-312530 A (Toshiba Machine Co., Ltd.),
14 December 2001, paragraphs [0008] to
[0017]

The inventions set forth in claims 1, 4, 5, 8 and 9 do not involve an inventive step in the light of documents 1 to 3 cited in the international search report.

In the written response dated 20 January 2006, the applicant asserts that the inventions set forth in the present application have a structure wherein a portion of each TiC particle is exposed.

However, claims 1, 4, 5, 8 and 9 only stipulate that the TiC particles be bound in particulate form, and do not stipulate that the inventions set forth therein have a structure wherein a portion of each TiC particle

Box No. 7 Researched statement under Article 13(2) with regard to novelty, inventive step or industrial applicability
of claims and explanations supporting such statement:

not expressed.

Furthermore, the oxide particles that are included to the surface layer side of the plated film in the invention disclosed in document 1 can be said to be bonded in particulate form.

On the other hand, the inventors set forth in claims 1, 2, 3, 4, 7 and 10 to 13 are not disclosed in any of the documents that are cited in the international search report, and would not have been obvious to a person skilled in the art.